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IN THE FEDERAL DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
Case No. 1:25-cv-11048 (ADB/JKK)

President and Fellows of Harvard College,

US DISTRICT COURT
DISTRICT OF MASS.

Plaintiff,

v.

US Department of Health and Human Services et al,

Defendants.

INTERVENOR'S MOTION TO INTERVENE (INCORPORATING AUTHORITY)

Pursuant to Rule 24 of the Federal Rules of Civil Procedure, proposed Intervenor John Doe respectfully moves to intervene in this action to protect his First Amendment rights and those of the public, which are imperiled by government efforts to coerce and retaliate against Harvard College for its constitutionally protected expression. This motion is supported by the incorporated memorandum of law.

ARGUMENT

This case involves governmental efforts to pressure and retaliate against Harvard University based on disfavored viewpoints expressed by its faculty, students, and administration. The retaliation includes Congressional threats to Harvard's tax-exempt status, legislative intimidation, and public pressure campaigns. Such conduct implicates not only the rights of Harvard itself, but also the public's corresponding First Amendment right to receive information, including the free flow of academic and ideological discourse. *See Virginia State Bd. of Pharmacy v. Virginia Citizens Consumer Council*, 425 U.S. 748, 756–57 (1976).

Proposed Intervenor John Doe is a citizen, constitutional scholar, and member of the journalistic community who relies upon Harvard—as a publisher of research and speaker in the public square—for access to uncensored, independent information. *See e.g.*, Anatoliy Ame- lin, *et al.*, The Forgotten Potential of Ukraine’s Energy Reserves, *Harvard Int’l Rev.*, Oct. 20, 2020. Governmental pressure that chills or distorts Harvard’s speech harms not only the institution, but also the broader public that benefits from its expression.

The Defendants’ assault on the free flow of information is not limited to the blackmail complained of herein. As is common in proto-fascist regimes, the Defendants and their criminal co-conspirators are using their ill-gotten power to coerce American oligarchs into capitulating to their demands. This coerced censorship constricts the free flow of discourse, in flagrant violation of the First Amendment.

This case is focused on the flea. Intervenor implores this Court to autopsy the elephant.

A. “What’s Past Is Prologue.”

"Intervenor was cursed with a sharp tongue—and perhaps, more courage than prudence. **This matters to me because it *happened* to me.** The only reason I am not a lawyer was because someone with more power than me didn't like what I had to say. And I learned the hard way that the law was no refuge.

William Shakespeare's four words (in *The Tempest*, Act II, Scene I) pack a wallop that transcends words. My life was changed irrevocably because the First Amendment wasn't worth the parchment it was printed on. And it's happening again.

Liberty can find no oxygen in an atmosphere of fear. *See Planned Parenthood of SE. Pa. v. Casey*, 505 U.S. 833, 844 (1992). “When one must guess what conduct may lose him his position, one necessarily will ‘steer far wider of the unlawful zone,’” *Keyishian v. Board of*

coverage. Nolan D. McCaskill and Joe Pompeo, Trump: I'm revoking 'dishonest' Washington Post's credentials, *Politico*, Jun. 13, 2016. But the 2024 iteration of Bezos has been delivering cash to Mar-a-Lago by the wheelbarrow.²

"Down to me, the change has come/He's *under my thumb.*"³

If you need a why, ask former Harvard professor Richard Alpert a/k/a Baba Ram Dass: "Possessions possess the possessor."⁴ It is the through-line of this case: Money is a point of pressure. On or about September 26, 2023, the Federal Trade Commission ("FTC") and 17 state attorneys general "sued Amazon.com, Inc. alleging that the online retail and technology company is a monopolist that uses a set of interlocking anticompetitive and unfair strategies to illegally maintain its monopoly power." FTC Sues Amazon for Illegally Maintaining

² On information and belief, through Amazon, Bezos reportedly paid the astronomical sum of \$40,000,000 for the rights to the life story of Melania Knauss Trump, Poulami Sengupta, CNN guest Scott Galloway slams Jeff Bezos for agreeing to pay \$40M for Melania Trump documentary rights, *News.Meaww*, Feb 26, 2025, (video: <https://news.meaww.com/cnn-guest-scott-galloway-slams-jeff-bezos-for-agreeing-to-pay-40-m-for-melania-trump-documentary-rights>), which is many times the true fair market value (Defendant Elon Musk's AI alter ego Grok estimated its fair value at \$5-10 million). Amazon paid \$1,000,000 to the Trump Inaugural Fund and gave another \$1 million in-kind donation by streaming the 2025 inauguration ceremony on Amazon Video. Kaitlan Collins, et al., Amazon plans to donate \$1 million to President-elect Donald Trump's inauguration, *CNN*, Dec. 12, 2024. Amazon has only now chosen to stream *The Apprentice* (the TV show starring Defendant Trump), Anna Kaufman, Donald Trump's reality show 'The Apprentice' arrives for streaming: How to watch, *USA Today*, Mar. 10, 2025, despite having acquired the rights to it back in 2021. Dominick Reuter and Jack Newsham, Amazon could own unaired Trump 'Apprentice' tapes after buying MGM, but it probably still can't release them, *Business Insider*, May 26, 2021. Defendant Trump reportedly receives 50% of all royalty income earned when *The Apprentice* is aired. Adam Epstein, "The Apprentice" may have (temporarily) saved Trump from financial ruin, *Quartz*, Sept. 28, 2020.

³If you are old enough, you remember:

"Under my thumb/The girl who once had me down.
Under my thumb/The girl who once pushed me around.
It's down to me. The difference in the clothes she wears/
Down to me, the change has come/She's under my thumb."

The Rolling Stones, *Under My Thumb*, on Aftermath (Decca Records 1966).

⁴ Baba Ram Dass, *Be Here Now* (unpaginated core section) (1971). This quote is admittedly from memory.

Regents, 385 U.S. 589, 603-04 (1967) (quoting *Speiser v. Randall*, 357 U.S. 513, 526 (1958)), for “the value of a sword of Damocles is that it hangs—not that it drops.” *Arnett v. Kennedy*, 416 U.S. 134, 231 (1974) (Marshall, J., dissenting). The only difference here is that the reign of terror is ubiquitous. Even mighty Harvard can’t escape.

In 2024, the *Washington Post* refused to endorse a candidate for President. David Folkenflik, 'Washington Post' won't endorse in White House race for first time since 1980s, [NPR](#), Oct. 25, 2024. Moreover, centi-billionaire *Post* owner¹ Jeff Bezos appears to be in the process of decapitating the *Washington Post* reporting staff, replacing them with right-wing ideologues. Erkki Forster, The Washington Post Looks to Recruit Right-Wing Journalists, [The Daily Beast](#), Mar. 5, 2025.

On its face, the refusal to endorse does not appear to be a principled decision, but one of craven genuflection toward Donald Trump. David Bauder, Newspaper non-endorsements at *Washington Post*, *LA Times* fit a trend, but their readers aren’t happy, [Assoc. Press](#), Oct. 29, 2024; Several editorial board members resigned, and “Washington Post legends Bob Woodward and Carl Bernstein issued a statement saying: ‘We respect the traditional independence of the editorial page, but this decision 12 days out from the 2024 presidential election ignores the Washington Post’s own overwhelming reportorial evidence on the threat Donald Trump poses to democracy.’” Manuel Roig-Franzia and Laura Wagner, The *Washington Post* says it will not endorse a candidate for president, [Wash. Post](#), Oct. 25, 2024.

Once upon a time, Bezos was a thorn in Trump’s side. While a candidate for President in 2016, Trump barred the *Washington Post* from his rallies in retaliation for unfavorable

¹ Benjamin Mullin and Katie Robertson, A Decade Ago, Jeff Bezos Bought a Newspaper. Now He’s Paying Attention to It Again, [N.Y. Times](#), Jul. 23, 2023.

Monopoly Power (press release), [Federal Trade Commission](#), Sept. 26, 2023. And in this case, we might be talking lots and lots of money.⁵

What's past is prologue. But what comes next may be irreversible.

B. Fascism Arrives Beneath a Cloak of Silent Assent.



Corruption is a poison - whatever it touches, it destroys.

~Joseph Boakai (President of Liberia)⁶

The clock of fascism is ticking. The latest victim appears to be CBS' iconic broadcast, "60 Minutes." Executive producer Bill Owens—"only the third person to run the program in its 57-year history — told his staff in a memo that 'over the past months, it has become clear that I would not be allowed to run the show as I have always run it, to make independent decisions based on what was right for '60 Minutes,' right for the audience.'" Michael M. Grynbaum, Top Producer of '60 Minutes' Quits, Saying He Lost Independence, [N.Y. Times](#), Apr. 22, 2025. And again, all you have to do is follow the money. CBS owner Paramount

⁵ Amazon's antitrust exposure could have a seismic effect on its market value. Defendant Trump is known to have had a long-standing relationship with DeutscheBank; while New York and U.K. regulators slapped the bank with a combined \$630 million fine for Russian money laundering, Jethro Mullen, Deutsche Bank fined for \$10 billion Russian money-laundering scheme, [CNN Business](#), Jan. 31, 2017, federal regulators under Trump made a similar probe 'go away'; "The DOJ investigation has been closely watched by Democrats on Capitol Hill who have tried and failed to get Deutsche Bank to turn over its internal investigation into the Russian trades and a separate internal review into whether bank accounts of President Donald Trump and his family have any ties to Russia." Kara Scannell, DOJ Probe on Russian Trades Through Deutsche Bank Quiet, [CNN Politics](#), Nov. 15, 2017. *Russia, Russia, Russia! Guess it pays to know the Boss.*

⁶ Joseph Boakai (President of Liberia), Interview, BBC News Africa, Mar. 28, currently available on Instagram at <https://www.facebook.com/reel/1199733717656411>

is attempting to merge with Skydance Media, and they will need approval from the Trump FCC. Paramount Global, Skydance Media merger deadline to get 90-day extension, [Reuters](#), Apr. 7, 2025.

The Trump Administration is for sale, and it is not subtle. And on account of pressure from Mar-a-Lago, the evidence is being suppressed by corporate conglomerates that see investigative journalism as a hobby and megalomaniacs who show darker intent. E.g., Stuart A. Thompson, They Criticized Musk on X. Then Their Reach Collapsed. [N.Y. Times](#), Apr. 23, 2025. Without freedom of reach, you don't really have freedom of speech, and the only outlets that are doing journalism are too muted for their voices to matter:

"Corporations facing federal lawsuits and investigations aren't giving millions to Trump's inauguration out of the kindness of their hearts," ...

As former U.S. Labor Secretary Robert Reich noted on social media late Monday, the Trump administration is poised to end the Internal Revenue Services' free Direct File program after the private tax prep giant Intuit donated \$1 million to the president's inauguration.

"Apple donated \$1M. Trump exempted most of Apple's imports from tariffs," Reich added. "Coinbase donated \$1M. Trump's SEC dropped a major lawsuit against them. See how this works?"

The appearance of pay-to-play corruption has been stark during the opening months of Trump's second term, with critics accusing the president of effectively placing a "for sale" sign on the White House.

"Nothing says Happy Easter in Trump 2.0 like having corporate sponsors at the White House Egg Roll," Public Citizen said Monday. "They really never miss an opportunity for some good old-fashioned corporate bribery."

Jake Johnson, 'See How This Works?': Trump Drops Cases Against Corporations That Funded His Inauguration, [CommonDreams](#), Apr. 22, 2025; Trump's Inauguration Donor Pool Includes \$50 Million in Contributions from Corporations Under Investigation or Facing Federal Enforcement, Public Citizen, Apr. 21, 2025 (FEC contribution tracker).

Harvard Law graduate Ralph Nader founded Public Citizen.

For those of us who grew up with All the President's Men, delighted when Mike Wallace ambled up to another scammer's door, were petrified to get behind the wheel of a Corvair, and were profoundly affected by Alpert's nuggets of wisdom, the world would have been a poorer one without them.

Democracy dies in darkness ... but corruption is the murder weapon.

C. Intervention Is Proper in This Case

Intervention is proper under both Rule 24(a)(2) and Rule 24(b)(1)(B), as Intervenor has a significant interest in the subject matter of the action, and his claims share common questions of law and fact with the main action.

1. Intervention As of Right Under Rule 24(a)(2)

Rule 24(a)(2) permits intervention as of right where:

1. The motion is timely;
2. The applicant claims an interest relating to the property or transaction that is the subject of the action;
3. The disposition of the action may impair or impede the applicant's ability to protect that interest; and
4. The applicant's interest is not adequately represented by the existing parties.

All four criteria are satisfied here.

First, the motion is timely. The case is in its embryonic stage, and no dispositive motions have been resolved.

Second, Intervenor's interest is the right to receive information and ideas unfettered by government censorship or retaliation, a right recognized as protected under the First Amendment. *Stanley v. Georgia*, 394 U.S. 557, 564 (1969). Moreover, Intervenor has a powerful interest in not being forcibly retired to San Salvador. See *Abrego-Garcia v. Noem*, No. 8:25-cv-00951-PX (D.Md. 2025). This must end here, or not at all.

Third, resolution of this action without Intervenor's participation risks leaving his constitutional interest unprotected—particularly if the Court were to reject Harvard's claim based on institutional standing or decline to reach the full scope of public harm caused by the government's conduct.

Fourth, Harvard's interests, while overlapping, are not fully coextensive with Intervenor's. Harvard may tailor its litigation strategy to institutional concerns, reputational damage, or future funding considerations, whereas Intervenor's concern is the broader public right to unimpeded access to the marketplace of ideas.

2. Permissive Intervention Under Rule 24(b)(1)(B)

Alternatively, permissive intervention is warranted under Rule 24(b)(1)(B), which allows intervention when the applicant "has a claim or defense that shares with the main action a common question of law or fact."

This action presents a central First Amendment question: whether the government may use its regulatory or legislative authority to retaliate against private parties based on disfavored speech. Intervenor's claim—that such retaliation also injures the public's right to receive unfiltered academic speech—squarely aligns with this question.

Permissive intervention will not unduly delay or prejudice the adjudication of the original parties' rights, and may in fact illuminate the broader constitutional harms at stake.

3. Intervention Will Serve the Interests of Judicial Economy

Intervenor is of the opinion that this case can be resolved in a single motion, submitted concurrently with this Motion. This Court is poised to answer Ben Franklin's challenge: A Republic ... if we can keep it.

CONCLUSION

For the foregoing reasons, Intervenor respectfully requests that the Court grant this motion to intervene, pursuant to Fed. R. Civ. P. 24. Intervenor further seeks to proceed under a pseudonym, requested under separate filing, as the name “Ruby Freeman” stands as a cautionary tale.

Respectfully submitted this 25th day of April, 2025,

John Doe (signed under seal, pending
outcome of motion to preserve anonymity)